

FEB 26 2004

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INFORMATION DISCLOSURE
STATEMENT
Patent Application
Docket No. ARYX-103CXD1
Serial No. 10/759,617


Frank C. Eisenschenk, Ph.D., Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : Unknown
Applicants : Pascal Druzgala, Peter G. Milner, Jurg R. Pfister
Serial No. : 10/759,617
Filed : January 16, 2004
Conf. No. : Unknown
For : Materials and Methods for the Treatment of Diabetes,
Hyperlipidemia, Hypercholesterolemia, and Atherosclerosis

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§1.97 AND 1.98

Sir:

In accordance with 37 CFR §1.97 and §1.98, Applicants would like to bring to the attention
of the Examiner, the references cited in the following patent applications:

U.S. Serial No. 09/841,351, filed April 24, 2001; now U.S. Patent No. 6,680,387; and
U.S. Serial No. 09/961,542, filed September 21, 2001; and
U.S. Serial No. 10/251,522, filed September 20, 2002.

The subject application, Serial No. 10/759,617, claims the benefit under 35 USC §120 of the
filing date of the patent applications referred to above. Applicants respectfully request that copies
of references supplied in the Information Disclosure Statements of the 09/841,351, 09/961,542, and
10/251,522 applications, as well as references cited during the prosecution thereof, be made of
record in the subject application. As copies of the references filed in the 09/841,351, 09/961,542,
and 10/251,522 applications, and cited on the attached forms PTO/SB/08 and PTO-892 can be found

in the 09/841,351, 09/961,542, and 10/251,522 case files, copies of those references are not provided herewith.

It is respectfully requested that the references cited in the 09/841,351, 09/961,542, and 10/251,522 applications be considered in the examination of the subject application and that their consideration be made of record.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08 with initials or other appropriate marks.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statements.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

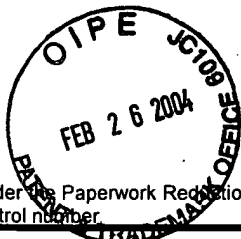
Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: 2421 N.W. 41st Street, Suite A-1
Gainesville, FL 32606-6669

FCE/sssa

Attachments: PTO/SB/08 and copies of references cited therein



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PTO/SB/08A (08-03)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	10/759,617
Filing Date	January 16, 2004
First Named Inventor	Pascal Druzgala
Art Unit	
Examiner Name	
Attorney Docket Number	ARYX-103CXD1

Sheet 1 of 7

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	U1	US-4,376,777	03/15/1983	Kawamatsu <i>et al.</i>	All
	U2	US-5,002,953	02/26/1991	Hindley	All
	U3	US-5,480,896	01/02/1996	Malamas <i>et al.</i>	All
	U4	US-5,677,330	10/14/1997	Abraham <i>et al.</i>	All
	U5	US-5,955,616	09/21/1999	Ohtani, <i>et al.</i>	All
	U6	US-6,037,359	03/14/2000	Shinkai	All
	U7	US-6,121,288	09/19/2000	Matsui, <i>et al.</i>	All

FOREIGN PATENT DOCUMENTS

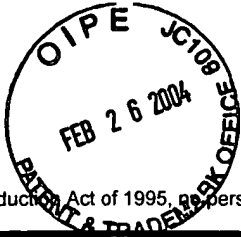
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	F1	EP 0 684 242 A1	11/29/1995	Japan Tobacco, Inc.	All	
	F2	EP 0 801 063 A1	10/15/1997	Dr. Reddy's Research Foundation	All	
	F3	EP 0 919 232 A1	06/02/1999	Sankyo Co., Ltd.	All	
	F4	EP 0 953 355 A1	11/03/1999	Sankyo Co., Ltd.	All	
	F5	EP 0 992 503 A1	04/12/2000	Japan Tobacco, Inc.	All	
	F6	EP 1 048 659 A1	11/02/2000	Institute of Molecular Design, Inc.	All	
	F7	WO 98/45291 A1	10/15/1998	Dr. Reddy's Research Foundation	All	
	F8	WO 01/16122 A1	03/08/2001	Maxia Pharmaceuticals, Inc.	All	
	F9	WO 01/81328 A2	11/01/2001	ARYx Therapeutics	All	
	F10	ES 2 154 551 A1	04/01/2001	Vita-Invest, S.A.	All	

Examiner
Signature

Date
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(use as many sheets as necessary)

Complete if Known

Application Number	10/759,617
Filing Date	January 16, 2004
First Named Inventor	Pascal Druzgala
Art Unit	
Examiner Name	
Attorney Docket Number	ARYX-103CXD1

Sheet 2 of 7

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		Number - Kind Code ² (if known)			
	U8	US-2003-0027798-A1	02/06/2003	Druzgala <i>et al.</i>	All
	U9	US-2003-0064972-A1	04/03/2003	Druzgala <i>et al.</i>	All
	U10	US-4,287,200	09/01/1981	Kawamatsu <i>et al.</i>	All
	U11	US-4,438,141	03/20/1984	Kawamatsu <i>et al.</i>	All
	U12	US-4,340,605	07/20/1982	Kawamatsu <i>et al.</i>	All
	U13	US-4,444,779	04/24/1984	Kawamatsu <i>et al.</i>	All
	U14	US-4,461,902	07/24/1984	Kawamatsu <i>et al.</i>	All
	U15	US-4,572,912	02/25/1986	Yoshioka <i>et al.</i>	All
	U16	US-4,687,777	08/18/1987	Meguro <i>et al.</i>	All

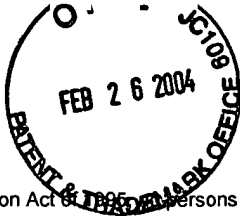
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		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	F11	EP 0 306 228 A1	03/08/1989	Beecham Group P.L.C.	All	
	F12	EP 0 419 035 A1	03/27/1991	Beecham Group P.L.C.	All	
	F13	EP 0 930 299 A1	07/21/1999	Japan Tobacco, Inc.	All	
	F14	WO 93/21166 A1	10/28/1993	Smith-Kline Beecham PLC	All	
	F15	WO 00/18759 A1	04/06/2000	Celltech Therapeutics Limited	All	
	F16	WO 01/00566	01/04/2001	The Institutes for Pharmaceutical Discovery, LLC	All	
	F17	WO 01/16132 A1	03/08/2001	Fuji-Sawa Pharmaceutical Co., Ltd.	All	

Examiner
SignatureDate
Considered

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				Application Number	10/759,617
				Filing Date	January 16, 2004
				First Named Inventor	Pascal Druzgala
				Art Unit	
				Examiner Name	
Sheet	3	of	7	Attorney Docket Number	ARYX-103CXD1

U.S. PATENT DOCUMENTS					
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		Number - Kind Code ² (if known)			
	U18	US-4,703,052	10/27/1987	Eggler <i>et al.</i>	All
	U19	US-4,725,610	02/16/1988	Meguro <i>et al.</i>	All
	U20	US-4,873,255	10/10/1989	Yoshioka <i>et al.</i>	All
	U21	US-4,897,393	01/30/1990	Iijima <i>et al.</i>	All
	U22	US-4,897,405	01/30/1990	Alessi <i>et al.</i>	All
	U23	US-4,918,091	04/17/1990	Cantello <i>et al.</i>	All
	U24	US-4,948,900	08/14/1990	Iijima <i>et al.</i>	All
	U25	US-5,061,717	10/29/1991	Clark <i>et al.</i>	All

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		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	F18	WO 02/24689 A1	03/28/2002	ARYX Therapeutics	All	
	F19	WO 02/44127 A1	06/06/2002	Kyorin Pharmaceut. Co. Ltd.	All	
	F20	EP 0 528 734 A1	02/24/1993	Adir et Compagnie	All	
	F21	EP 0 549 365 A1	06/30/1993	Sankyo Co., Ltd.	All	
	F22	EP 0 848 004 A1	06/17/1998	Shionogi & Co. Ltd	All	
	F23	WO 97 32863 A1	09/12/1997	Torii Pharmaceutical Co Ltd	All	
	F24	WO 01 02377 A1	01/11/2001	Geron Corporation <i>et al.</i>	All	
	F25	JP9301963	11/25/1997	Kinoshita, <i>et al.</i>	All	
	F26	EP 0 603 419 A1	06/29/1994	Japan Tobacco Inc.	All	
	F27	WO 89/08651	09/21/1989	Pfizer Inc.	All	
	F28	WO 91/07107	05/30/1991	Pfizer Inc.	All	
	F29	WO 92/02520	02/20/1992	Beecham Group P.L.C.	All	

Examiner Signature	Date Considered
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(use as many sheets as necessary)

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Application Number	10/759,617
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Sheet 4 of 7

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		Number - Kind Code ² (if known)			
	US-26	US-5,120,754	06/09/1992	Clark <i>et al.</i>	All
	US-27	US-5,132,317	07/21/1992	Cantello <i>et al.</i>	All
	US-28	US-5,194,443	03/16/1993	Hindley	All
	US-29	US-5,223,522	06/29/1993	Clark <i>et al.</i>	All
	US-30	US-5,232,925	08/03/1993	Hindley	All
	US-31	US-5,260,445	11/09/1993	Hindley	All
	US-	US-2002/0045620	04/18/2002	Druzgala and Milner	All

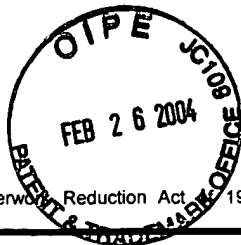
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	F					
	F					
	F					

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

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of

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Complete if Known

Application Number	10/759,617
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NON PATENT LITERATURE DOCUMENTS

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	R1	DATABASE CAPLUS 'Online! Chemical Abstracts Service,' Columbus, Ohio, USA; Database Accession No. 127:248106, XP002222346, Torii Pharmaceutical Co., Ltd., Japan, 1997	
	R2	DATABASE CHEMCATS, AsInEx Compound Collection, Moscow, Russia; Accession No. 2001:694380, May 10, 2001; XP002222347	
	R3	DATABASE CHEMCATS, Pharma Library Collection, Nanosyn Combinational Synthesis, Inc., Mountain View, CA, USA; Accession No. 2001:54111, May 14, 2001; XP002222348	
	R4	DATABASE CHEMCATS, Ambinter Exploratory Library, Paris, France; Accession No. 2002:1116502, January 21, 2002; XP002222349	
	R5	DATABASE CROSSFIRE BEILSTEIN; Beilstein Registry Number: 6526484; Beilstein Institut zur Foerderung der Chemischen Wissenschaften; XP-002230540; Frankfurt am Main, DE.	
	R6	DATABASE CAPLUS 'Online! Chemical Abstracts Service,' Columbus, OH, USA; Database accession no. 128:13261, XP002181181 RN 199167-77-6 and 199167-79-8 and JP 09301963 A (Kyorin Pharmaceutical Co., Ltd.) Nov. 25, 1997	
	R7	DATABASE CAPLUS 'Online! Chemical Abstracts Service,' Columbus, OH, USA; Database accession no. 127:161819, XP002181182, RN 193544-82-0 and JP 09165371 A (Sankyo Co., Ltd.), June 24, 1997	
	R8	CANTELLO, B., <i>et al.</i> , "[[ω-(Heterocyclylamino)alkoxy]benzyl]-2,4-thiazolidinediones as Potent Antihyperglycemic Agents", <i>J. Med. Chem.</i> (1994), 37:3977-3985; XP-001094112; American Chemical Society.	
	R9	CHEN, L., <i>et al.</i> , "Focused Library Approach for Identification of <i>N</i> -Acylphenylalanines as VCAM/VLA-4 Antagonists", <i>Bioorg. Med. Chem. Lett.</i> (2002), 12:1679-1682; XP-002230539; Elsevier Science Ltd.	
	R10	HAIGH, D., <i>et al.</i> , "Non-thiazolidinedione Antihyperglycaemic Agents. Part 3: The effects of stereochemistry on the potency of α-Methoxy-β-phenylpropanoic Acids", <i>Bioorg. Med. Chem.</i> (1999), 7:821-830; XP-000995637; Elsevier Science Limited.	
	R11	HENKE, B., <i>et al.</i> , " <i>N</i> -(2-Benzoylphenyl)-L-tyrosine PPARγ Agonists. 1. Discovery of a Novel Series of Potent Antihyperglycemic and Antihyperlipidemic Agents", <i>J. Med. Chem.</i> (1998), 41:5020-5036; XP-000864731; American Chemical Society.	
	R12	<i>Patent Abstracts of Japan</i> (2001), Vol. 2000, No. 19.	
	R13	RAHBAR, S., <i>et al.</i> , "Novel Inhibitors of Advanced Glycation Endproducts", <i>Biochem. Biophys. Res. Comm.</i> (1999), 262:651-656; XP-000946146; Academic Press.	

Examiner Signature		Date Considered	
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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	R14	KLETZIEN, R.F., <i>et al.</i> , "Enhancement of Adipocyte Differentiation by an Insulin-Sensitizing Agent," <i>Molecular Pharmacology</i> (Feb. 1, 1992) 41(2):393-8, XP002081233, The American Society for Pharmacology and Experimental Therapeutics	
	R15	SOHDA, T., <i>et al.</i> , "Studies on Antidiabetic Agents. II. Synthesis of 5-[4-(1-Methylcyclohexylmethoxy)-benzyl]thiazolidine-2,4-dione (ADD-3878) and its Derivatives," <i>Chem. Pharm. Bull.</i> (1982) 30(10):3580-3600, XP002042079	
	R16	UNANGST, P.C., <i>et al.</i> , "Synthesis and Biological Evaluation of 5-[[3,5-Bis(1,1-dimethylethyl)-4-hydroxy phenyl]methylene]oxazoles, -thiazoles, and -imidazoles: Novel Dual 5-Lipoxygenase and Cyclooxygenase Inhibitors with Antiinflammatory Activity," <i>J. Med. Chem.</i> (1994) 37(2):322-8, XP002127023, American Chemical Society	
	R17	CRESPI, C., "Higher-throughput screening with human cytochromes P450", <i>Current Opinion in Drug Discovery & Development</i> , (1999) 2(1): 15-19., Current Drugs Ltd.	
	R18	SUZUKI <i>et al.</i> , Chemical Abstracts, Vol. 122 :174262, 1995.	
	R19	KHALLI <i>et al.</i> , Chemical Abstracts, Vol. 110 :38850, 1989.	
	R20	CRESPI, C.L., <i>et al.</i> , "Microtiter Plate Assays for Inhibition of Human, Drug-Metabolizing Cytochromes P450," <i>Anal. Biochem.</i> (1997) 248:188-190, Pub: Academic Press	
	R21	FAVREAU, L.V., <i>et al.</i> , "Improved Reliability of the Rapid Microtiter Plate Assay Using Recombinant Enzyme in Predicting CYP2D6 Inhibition in Human Liver Microsomes," <i>Drug Metab. & Dispos.</i> (1999) 27(4):436-439, Pub: The American Society for Pharmacology & Experimental Therapeutics	
	R22	HOUSTON, J.B., "Utility of <i>in Vitro</i> Drug Metabolism Data in Predicting <i>in Vivo</i> Metabolic Clearance," <i>Biochem. Pharmacol.</i> (1994) 47(9):1469-79; Pub: Elsevier Science Ltd., Great Britain	
	R23	IRVINE, J.D., <i>et al.</i> , "MDCK (Madin-Darby Canine Kidney) Cells: A Tool for Membrane Permeability Screening," <i>J. Pharm. Sci.</i> (1999) 88(1):28-33, Pub: American Chemical Society and American Pharmacological Society	
	R24	KORZEKWA, K.R., <i>et al.</i> , "Evaluation of Atypical Cytochrome P450 Kinetics With Two-Substrate Models: Evidence That Multiple Substrates Can Simultaneously Bind to Cytochrome P450 Active Sites," <i>Biochemistry</i> (1998) 37:4137-47	
	R25	KOSTRUBSKY, V.E., <i>et al.</i> , "Effect of Taxol on Cytochrome P450 3A and Acetaminophen Toxicity in Cultured Rat Hepatocytes: Comparison to Dexamethasone," <i>Toxicol. & Appl. Pharmacol.</i> (1997) 142:79-86, Article No. TO968023; Pub: Academic Press	
	R26	STEWART, B.H., <i>et al.</i> , "Comparison of Intestinal Permeabilities Determined in Multiple <i>in Vitro</i> and <i>in Situ</i> Models: Relationship to Absorption in Humans," <i>Pharm. Res.</i> (1995) 12(5):693-99; Pub: Plenum Publishing Corp.	
	R27	SWANSON, H.I. and Bradfield, C.A., "The AH-Receptor: Genetics, Structure and Function," <i>Pharmacogenetics</i> (1993) 3:213-30; Pub: Chapman & Hall	

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		Application Number	10/759,617		
		Filing Date	January 16, 2004		
		First Named Inventor	Pascal Druzgala		
		Group Art Unit			
		Examiner Name			
Sheet	7	of	7	Attorney Docket Number	ARYX-103CXD1

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	R28	TILLER, P.R., <i>et al.</i> , "Immobilized Human Serum Albumin: Liquid Chromatography/Mass Spectrometry as a Method of Determining Drug-Protein Binding," <i>Rapid Comm. in Mass Spectrometry</i> (1995) 9:261-3; Pub: John Wiley & Sons, Ltd.	
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